



SO ORDERED.

SIGNED this 24th day of November, 2014.

Catharine R. Aron

UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:)
)
)
)
THOMAS EDWARD COMMERFORD) **ORDER**
JEAN LAKE COMMERFORD,)
) No. B-14-50218 C-13W
)
)
Debtors.)

The Chapter 13 case of Thomas Edward Commerford and Jean Lake Commerford (the "Debtors") came before the Court on November 12, 2014 on a motion by Uwharrie Bank (the "Creditor") for relief from the automatic stay pursuant to 11 U.S.C. §362 to foreclose on real property located at 2417 and 2419 Lane Street, Kannapolis, North Carolina (collectively, the "Properties"). All interested parties having received proper notice, appearing at the hearing were Steven Blalock for the Creditor, Kristen S. Nardone for the Debtors, and Kathryn L. Bringle as Trustee.

The motion is unopposed. The Court finds that cause exists to grant the Creditor's motion; therefore, it is

ORDERED that the automatic stay is modified to allow the Creditor to foreclose on the Properties; and it is further

ORDERED that the Creditor will have a period until the 180th day following confirmation of the Plan to file a deficiency claim after completing foreclosure. Any deficiency claim filed by this deadline will be allowed as filed unless a party in interest objects. Any deficiency claim filed after this deadline will be disallowed; and it is further

ORDERED that the automatic stay is modified to allow Kannapolis Land, Inc., to enforce its judgment against the Properties. Kannapolis Land, Inc. is to notify the Trustee in writing if it receives any proceeds from the liquidation of the Properties and shall amend its proof of claim accordingly; and it is further

ORDERED that any net proceeds from liquidation of the Properties, after payment of all liens and costs, are to be forwarded to the Chapter 13 Trustee; and it is further

ORDERED that the relief provided herein is immediate notwithstanding the provisions of Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure.

END OF DOCUMENT

PARTIES TO BE SERVED
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